



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA VA 22314-2848

OCT 24 2007

In re Application of	:	
JUN NAKAMURA	:	DECISION ON REQUEST TO
Application No. 10/565983	:	PARTICIPATE IN PATENT
Filed: February 21, 2006	:	PROSECUTION HIGHWAY
Attorney Docket No. OHA-059	:	PILOT PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed October 23, 2007, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

- (1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
- (2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
- (3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
- (4) Examination of the U.S. application has not begun;
- (5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
- (6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications; and
- (7) The required petition fee under 37 CFR 1.17(h).

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to John Peng at 571-272-7272.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

John Peng
TC 2600
Quality Assurance Specialist

Serial No. 10/565,983

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OHA-059

Applicant : Jun NAKAMURA et al.

Title : MOVING IMAGE DISTRIBUTION SYSTEM, MOVING IMAGE
DIVIDING SYSTEM, MOVING IMAGE DISTRIBUTION
PROGRAM, MOVING IMAGE DIVIDING PROGRAM, AND
RECORDING MEDIUM STORING MOVING IMAGE
DISTRIBUTION PROGRAM AND/OR MOVING IMAGE
DIVIDING PROGRAM

Serial No. : 10/565,983

Filed : February 21, 2006

Group Art Unit : 2623

Hon. Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313

October 23, 2007

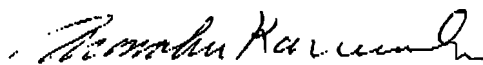
Att: Mr. John Peng

Dear Sir:

As talked to you by telephone today, I am sending herewith by
fax copies of Japanese Office Action I have and a translation
thereof.

Please advise if the copies are sufficient or not.

Respectfully submitted,



Manabu Kanesaka
Registration No. 31,467

1700 Diagonal Road, Suite 310
Alexandria, Virginia 22314
Tel: (703) 519-9785
Facsimile: (703) 519-7769

提出期限	18.7.24
------	---------

整理番号: 発送番号:206648 発送日:平成18年 5月24日 1

拒絶理由通知書

特許出願の番号	特願2005-513408	
起案日	平成18年 5月16日	
特許庁審査官	川崎 優	8944 5C00
特許出願人代理人	大原 拓也 様	
適用条文	第36条	



この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

この出願は、特許請求の範囲の記載が下記の点で、特許法第36条第6項第2号に規定する要件を満たしていない。

記

請求項1, 11, 13, 14について:

当該請求項の記載では、

- ・「CMファイル」が主従2つの再生不能な動画ファイルを再生可能な状態にするにあたりどのような意義があるのか、不明である。

請求項11, 15, 17について:

当該請求項は「・・・ステップを有する・・・プログラムにおいて、・・・ステップを備えていることを特徴とする・・・プログラム」のように記載されているが、「プログラム」という物の発明が「ステップを有する(備える)」という記載は技術的に不明である。

(「～からなる・・・システムに、・・・ステップ、・・・ステップを実行させるためのプログラム」のように記載することが必要である)

この拒絶理由通知書中で指摘した請求項以外の請求項に係る発明については、現時点では、拒絶の理由を発見しない。拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

先行技術文献調査結果の記録

・調査した分野 I P C H04N7/16-173, G06F13/00, G06F15/00, G06Q30/00

整理番号: 発送番号:206648 発送日:平成18年 5月24日 2/E

DB名

・ 先行技術文献

この先行技術文献調査結果の記録は拒絶理由を構成するものではありません。

Forwarding No.: 206648 Forwarding Date: May 24, 2006

Office Action

Patent Application No. : Japanese Patent Application 2005-513408
Drafting Date: May 16, 2006
Examiner: Suguru Kawasaki 8944 5C00
Agent of Patent Applicant: Mr. Takuya Ohara
Applicable Article: Article 36

This application is rejected for reasons as follows. Any responses must be filed within 60 days of the date of the Office Action.

Reasons

A description of the scope of the application does not satisfy the requirements set forth in the patent law, Article 36, Section 6.2, as follows.

Details

Claims 1, 11, 13, and 14

Said claims are unclear about:

- Significance of the CM file to decrypt two not-reproducible moving image files, a main moving image file and a slave moving image file, to make them reproducible.

Claims 11, 15, and 17

Said claims are explained "A ...program having ... steps, the ... program comprising ...steps". However, the description that the invention of the "program" has (comprises) "steps", is unclear in technical aspects.

(It is required to be rewritten in such a language that "a program for executing ... step, ... step, and ... step in a ...system comprising: ~")

No rejection is entered on claims other than the claims indicated above in the Office Action. Should a new rejection be found, the applicant will be notified of reasons for the rejection.

Forwarding No.: 206648 Forwarding Date: May 24, 2006

Record of Prior Art Document Search Result

- Field of the Search: IPC H04N7/16-173, G06F13/00, G06F15/00,
G06Q30/00

Name of DB

- Prior Art Documents:

The record of the prior art document search result is not taken into the consideration for the Office Action.